

FILE COPY

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Attorneys for Plaintiff,
AQUAWOOD LLC,

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

AQUAWOOD LLC, a California) Case No.:
 Limited Liability Company,) **CV11-03046 SJO (AGPX)**

Plaintiffs,)

vs.)

WIDE EYES MARKETING, LTD., a) **PLAINTIFF AQUAWOOD**
 CANADA Limited Liability Company;) **LLC'S COMPLAINT FOR**
 PETER A. SGROMO an Individual, and) **DECLARATORY**
 DOES 1 – 5,) **JUDGMENT FOR NON-**
) **INFRINGEMENT OF**
) **PATENT**

Defendants.)

Plaintiff Aquawood LLC ("Aquawood"), hereby alleges against Defendants
 Wide Eyes Marketing, Ltd. ("WEM"), and Peter A. Sgromo ("Sgromo")
 (hereinafter collectively "Defendants") as follows:

JURISDICTION AND VENUE

1. This is an action, *inter alia*, for Declaratory Judgment of No Patent
 Infringement, pursuant to 28 U.S.C. §2201, *et seq.* This Court has Subject
 Matter Jurisdiction of this Declaratory Judgment action pursuant to 28
 U.S.C. §§1331, 1338 and 2201(a).

2. Venue is proper pursuant to 28 U.S. C. § 1391, as a substantial part of the events described herein occurred in this judicial district, and Defendants are subject to personal jurisdiction in this judicial district.

PARTIES

3. Plaintiff is a California Limited Liability Company, with its principal place of business in Los Angeles, California.

4. Plaintiff manufactures and distributes high quality toys and other goods.

5. On information and belief, WEM is a Limited Liability Company existing under and by virtue of the laws of Canada, and is closely held and controlled by Defendant Sgromo.

6. On information and belief, WEM has offices in California in the cities of Alameda and Oakland and conducts substantial business in the State of California, and in this Judicial District.

7. On information and belief, Peter A. Sgromo is the President and Founder of WEM, is a resident of the State of California, and conducts substantial business in the State of California, and in this Judicial District.

8. Plaintiff is ignorant of the true names and capacities of Defendants sued herein as Does 1 to 5, inclusive, and therefore sues these Defendants by such fictitious names. Plaintiff will amend this complaint to allege their true names and capacities when ascertained, together with such other allegations as may be appropriate.

9. On information and belief, all Defendants sued herein as Does are in some manner responsible for the acts herein alleged.

10. On information and belief, at all times mentioned herein, each of the Defendants, including the Defendants named herein as Does, were the alter ego, agent, and/or employee of each of the remaining Defendants and in doing the things mentioned herein were acting within the scope of such agency and/or employment.

CONTROVERSY

11. This Complaint includes a claim for declaratory judgment relief pursuant to 28 U.S.C. §2201 and §2202, in which the Plaintiffs desire a declaration of rights in the form of a judgment against the Defendants.
12. An actual controversy exists between the Parties, in view of Defendants' February 17, 2011 email to Plaintiff, which alleges that Plaintiff is infringing Defendants' Patent and which threatens Plaintiff with litigation.

FACTUAL BACKGROUND

13. On February 6, 2009, Plaintiff and Defendants entered into a License Agreement ("the Agreement") in which Defendants licensed to Plaintiff the "3D Shark Bite Water Slide" invention (hereinafter referred to as the "3D Shark Slide"). A true and correct copy of the Agreement is attached to this Complaint as Exhibit 1.
14. Plaintiff developed the 3D Shark Slide and filed U.S. Patent Application No. 12/327,760 ("the '760 Application") on the 3D Shark Slide. Sgromo was one of the named inventors of the '760 Application.
15. From 2009 to the present, Plaintiff has manufactured, distributed, and sold the 3D Shark Slide, and has paid royalties on sales of the 3D Shark Slide, under the terms of the Agreement, to Defendants.
16. Part 7 of the Agreement specifically provides that Plaintiff "has the right, in its sole discretion, to modify" the 3D Shark Slide, and sell the modified product under the terms of the Agreement.
17. On September 14, 2010, the '760 Application received an Office Action from the USPTO rejecting all of the claims of the Application. The Office Action concluded that the '760 Application was obvious in view of U.S. Patent No. 7,046,440 ("the '440 Patent"), issued to Kaehr, in view of U.S. Patent No. 5,482,510, issued to Ishii. A true and correct copy of the '440 Patent is attached to this Complaint as Exhibit 2.

1 18. On information and belief, Defendants had actual knowledge of the
2 September 14, 2010 Office Action and were aware that the '760 Application
3 was rejected in part based on the '440 Patent.

4 19. On information and belief, on December 20, 2010, three months after the
5 '760 Application received the Office Action rejection, title of the '440
6 Patent was transferred to Defendant WEM.

7 20. The transfer of the '440 Patent was Recorded with the USPTO in an
8 Assignment on January 3, 2011. A true and correct copy of the USPTO
9 Assignment Webpage showing the transfer of the '440 Patent to Defendant
10 WEM is attached to this Complaint as Exhibit 3.

11 21. In or about January 2011, Defendants started manufacturing, distributing,
12 and selling an inflatable pool with a three-dimensional graphic on the pool
13 ("3D Lagoon Pool"), which was developed by Defendants as a modification
14 to the 3D Shark Slide.

15 22. On February 17, 2011, Defendants sent a cease and desist letter via email to
16 Plaintiff accusing Plaintiff of infringing the very recently acquired '440
17 Patent. A true and correct copy of the February 17, 2011 email is attached to
18 this Complaint as Exhibit 4. The February 17, 2011 email alleges that both
19 the 3D Lagoon Pool and 3D Shark Slide infringe the '440 Patent.

20 23. In the February 17, 2011 email, Defendants also threaten to contact
21 Plaintiff's customers regarding the alleged infringement.

22 24. Defendants conclude the February 17, 2011 email with the threat that,
23 should Plaintiff refuse to alter its alleged infringing activity, Defendants will
24 enforce their patent rights to "their full extent."

25 25. Plaintiff is under a reasonable apprehension of lawsuit from Defendants
26 because Defendants have: (1) alleged that two of Plaintiff's current
27 products, the 3D Shark Slide and the 3D Lagoon Pool, infringe the '440
28 Patent; (2) threatened to contact Plaintiff's customers regarding the

1 infringement allegations; and (3) threatened to file a lawsuit against Plaintiff
2 for infringement of the '440 Patent.

3 26. Plaintiff denies that any of its products infringe any claim of the '440 Patent,
4 or any other Patent allegedly owned by Defendants. As such, an actual
5 controversy now exists between Plaintiff and Defendants, as to their
6 respective rights and responsibilities with respect to the '440 Patent.

7 27. To resolve the legal and factual questions raised by Defendants, and to
8 afford relief from the uncertainty that has precipitated, Plaintiff is entitled to
9 an order stating its rights under 28 U.S.C. §§ 2201-02, that its services,
10 business practices and products do not infringe any patent allegedly owned
11 by Defendants, and/or that the '440 Patent is invalid and/or unenforceable.

12
13 **CLAIM FOR RELIEF**

14 (Declaratory Judgment of Non-Infringement of
15 U.S. Patent Number 7,046,440)

16 28. An actual controversy now exists between Plaintiff and Defendants, as to
17 their respective rights and responsibilities with respect to U.S. Patent No.
18 7,046,440 ("the '440 Patent"), and any other patents foreign or domestic that
19 claim priority from the filing of the '440 Patent.

20 29. Defendants have alleged that Plaintiff has committed certain acts that
21 infringe the '440 Patent, and Plaintiff denies that any of its products infringe
22 any claim of the '440 Patent.

23 30. To resolve the legal and factual questions raised by Defendants and to afford
24 relief from the uncertainty that has precipitated, Plaintiffs are entitled to an
25 order stating its rights under 28 U.S.C. §§ 2201-02, that its services,
26 business practices, and products do not infringe any patent allegedly owned
27 by Defendants, and/or that the '440 Patent is invalid and/or unenforceable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays the following relief and judgment be granted against Defendants, as follows:

A. For a judicial determination and order declaring that none of Plaintiff's products infringe any patent allegedly owned by Defendants, and/or that the '440 Patent is invalid and/or unenforceable.

B. For an order enjoining Defendants and their agents and attorneys from further asserting patent rights against Plaintiffs and/or its customers.

C. For the recovery of Plaintiff's full costs and reasonable attorneys fees; and

D. For such additional and further relief in law and equity, as the court may deem just and proper.

Respectfully Submitted,
HANKIN PATENT LAW, APC

Date: April 11, 2011

_____/Marc E. Hankin/
Marc E. Hankin
Attorneys for Plaintiff,
AQUAWOOD LLC

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is Alicia G. Rosenberg.

The case number on all documents filed with the Court should read as follows:

CV11- 3046 SJO (AGR~~x~~)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

Aquawood LLC., a California Limited Liability
Company

Plaintiff

Wide Eyes Marketing, LTD., a Canada Limited Liability
Company; Peter Sgromo an individual, and Does 1-5

Defendant

CV 11-03046 SJO(AGP)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Marc E. Hankin
Hankin Patent Law, APC
6404 Wilshire Boulevard
Suite 1020
Los Angeles, CA 90048

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

APR 11 2011

CLERK OF COURT

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

Aquawood LLC., a California Limited Liability
Company

Plaintiff

Wide Eyes Marketing, LTD., a Canada Limited Liability
Company; Peter Sgromo an individual, and Does 1-5

Defendant

CV11-03046 SJO(AGPX)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Marc E. Hankin
Hankin Patent Law, APC
6404 Wilshire Boulevard
Suite 1020
Los Angeles, CA 90048

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

JULIE PRADO
SEAL

Signature of Clerk or Deputy Clerk

APR 11 2011

Date:

FILE COPY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) Aquawood, LLC., a California Limited Liability Company,		DEFENDANTS Wide Eyes Marketing, LTD., a Canada Limited Liability Company; Peter A. Sgromo an Individual, and Does 1-5,	
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Marc E. Hankin (S.B. No. 170505), HANKIN PATENT LAW, APC 6404 Wilshire Boulevard, Suite 1020, Los Angeles, CA 90048-5512 Tel: (323) 944-0206/Fax: (323) 944-0209		Attorneys (If Known)	

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:35%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:45%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input checked="" type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
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Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** Yes ☐ No ☒ (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 28 U.S.C. 2201, et seq.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV11-03046

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or

☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or

☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or

☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Canada

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): /Marc E. Hankin/ Date April 11, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))